

Remarks

Claims 1-20 were pending in this application prior to entry of this amendment. In order to expedite prosecution and issuance of a notice of allowance for the instant application, and pursuant to the Examiner's suggestions, Applicants have amended Claim 12 and cancelled Claims 1-11, 14, and 18 without prejudice to pursue the subject matter of the canceled claims in one or more related applications, as discussed below. The Examiner objected to Claim 18 as being dependant upon a rejected base claim (Claims 14 and 12), but stated that Claim 18 would be allowable if re-written in independent form, including all of the limitations of the base claims and any intervening claims. Accordingly, Claim 12 has been amended to incorporate all the limitations of presently cancelled Claims 14 and 18.

Applicants submit this amendment accepts Examiner's suggestions by canceling and amending claims, without prejudice to continue prosecution in a related application, to put this application clearly in condition for allowance. Applicants respectfully submit that the claims as currently amended comply with Examiner's suggestions, add no new matter, do not present any new issues requiring further consideration or search, and place the application in condition for allowance. After entry of this amendment, Claims 12-13, 15-17, and 19-20 will be pending in this application and in condition for allowance.

Claim Rejections under 35 USC 102

Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by GRAU (US Patent No. 3,048,171). The Examiner has also rejected Claims 1-4, 6-10, 12-15, 17 and 20 under 35 U.S.C. 102(b) as being anticipated by SAGE et al. (US Patent No. 5,957,895). In light of the Arguments and Claim amendments above, Applicants' submit these rejections are obviated. Applicants respectfully request withdrawal of this rejection.

Comment on Examiner's "Response to Arguments"

Applicants maintain that the needle 54 of Sage, which the Examiner referred to the internal end portion as a "pin", has specific structure as discussed in Col 7, lines 35-45 of Sage, for accessing the contents of the reservoir. In fact in Applicant's claims the pin and the needle are two separate elements. It is understood from the disclosure of Sage that the "pin" [needle 54] referred to by the Examiner is used as a fluid transfer means, which has a completely different principle of operation than the pin of the device as presently claimed by the Applicants. Applicants respectfully maintain that the needle of Sage does not contact the springs, and is not of use as a pin. Thus, the needle 54 of Sage is not equivalent in structure or usage to pin 140 of the Applicants' disclosure. Similarly, Applicants contend the rejection based on Grau is incorrect, as the pin of Grau does not contact the spring, and is not of use as a pin which is engageable with a central aperture of a Belleville spring.

Pursuant to the Examiner's suggestions, Applicants have amended Claim 12 and cancelled Claims 1-11, 14, and 18 without prejudice, and as a matter of right, Applicants plan to pursue the subject matter of the canceled claims (Claims 1-11, 14, and 18) and broader claims in one or more related continuation applications.

Conclusion

In view of the Remarks above, applicant respectfully submits that Claims 12-13, 15-17, 19-20 are in condition for allowance, and respectfully requests that the Examiner earnestly reconsider her rejections of the present application. Applicant hereby authorizes the Commissioner to charge the fees necessary and/or refund in connection with this Response and any other fees/credits necessary in connection with this application, to Deposit Account Number 02-1666.

Applicant respectfully requests that the Examiner enter the amendments and consider the remarks made herein. Consideration and prompt allowance of the claims are respectfully submitted.

Any questions concerning this application or amendment may be directed to the undersigned agent of applicant.

Respectfully submitted,

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